

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI

NOVEMBER 4, 2014

Be it remembered that the regular meeting of the Tupelo City Council was held in the Council Chambers at the City Hall Building on Tuesday, November 4, 2014, at 6:00 p .m. with the following in attendance: Council Members Markel Whittington, Lynn Bryan, Travis Beard, Nettie Y. Davis, Buddy Palmer, Mike Bryan and Willie Jennings; City Attorney Ben Logan, and Kim Hanna, Chief Financial Officer.

The invocation was led by Fire Chief Thomas Walker, followed by the Pledge of Allegiance led by James Woodall of Cook Coggin Engineers.

IN THE MATTER OF CALLING THE MEETING TO ORDER

President Mike Bryan called the meeting to order at 6:00 p.m.

IN THE MATTER OF CONFIRMATION OR
AMENDMENT OF AGENDA AND AGENDA ORDER

Upon a motion by Councilman Palmer, seconded by Councilman Whittington, the council voted unanimously to confirm the agenda and agenda order, amended as follows:

ADD: Friday, November 28, 2014, as additional Thanksgiving holiday for City employees

4. PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA

IN THE MATTER OF RECOGNITION OF BOY/GIRL SCOUTS

No scouts were present for recognition.

IN THE MATTER OF RECOGNITION OF CITY EMPLOYEES

No city employees were present for recognition.

IN THE MATTER OF PUBLIC RECOGNITIONS

The following public recognitions were made by City Council members:

Councilman Palmer – Announced Veterans Day program scheduled next Tuesday to honor all veterans. The event will be held at Veterans Park beginning at 9:00 p.m.

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Councilwoman Davis – Reported a very successful “Community Forward Festival” last Saturday at Gum Tree Park on Front Street. Even though the weather was cold, many enjoyed the entertainment and great food at this annual event.

Councilman Jennings – Recognized the Pastor and members of the congregation from Red Oaks Baptist Church who were present at the meeting.

(President Bryan then closed the regular meeting and opened the Public Agenda.)

5. PUBLIC AGENDA

5.1 PUBLIC HEARINGS

5.1.A LOT MOWING OF PROPERTIES

No one appeared to address this issue.

(President Bryan then closed the Public Agenda and the City Council returned to regular session.)

6. ACTION AGENDA

No items on the Action Agenda for consideration.

7. ROUTINE AGENDA

IN THE MATTER OF REVIEW/APPROVE MINUTES OF REGULAR COUNCIL MEETING

Upon a motion by Councilwoman Davis, seconded by Councilman L. Bryan, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, October 21, 2014.

IN THE MATTER OF REVIEW/PAY BILLS

Upon a motion by Councilman Jennings and a second by Councilman Whittington, the council voted unanimously to approve payment of the following checks, bills having been reviewed at 4:30 p.m. by Council Members L. Bryan, Beard, Palmer and M. Bryan:

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Check Nos. 125095 through 125512 (Pool Cash Fund)
Electronic transfers as shown on the face of the docket.
Invoices as shown on the face of the docket.
Requests made by AFLAC to reimburse employees under Flex-One
Plan as shown on the face of the docket.

**IN THE MATTER OF REVIEW/APPROVE ADDITIONAL HOLIDAYS FOR
CITY EMPLOYEES FOR CHRISTMAS AND NEW YEAR'S**

Governor Phil Bryant had issued a Proclamation in accordance with Miss. Code Section 3-3-7, Annotated, authorizing cities at their discretion to close all offices of the State of Mississippi on Friday, November 28, 2014, in further observance of the Thanksgiving holiday and on Wednesday, December 24, 2014, in further observance of Christmas. Upon a motion by Councilman Jennings, seconded by Councilman Palmer, the council voted unanimously to approve these additional holidays for City of Tupelo employees as authorized by the Governor's Proclamation.

**IN THE MATTER OF REVIEW/APPROVE AGREEMENT BETWEEN CITY OF
TUPELO AND JBHM ARCHITECTURE FOR TORNADO RECOVERY
LANDSCAPE MASTER PLAN PROJECT**

Upon a motion by Councilman Whittington, seconded by Councilman Jennings, the council voted unanimously to approve an Agreement between the City of Tupelo and JBHM Architecture for a comprehensive Tornado Recovery Landscape Master Plan due to the devastation of the April 28, 2014, tornado. COO Don Lewis reviewed the Agreement with the City Council and announced that a presentation regarding this Plan will be scheduled at a later date. A copy of the Agreement is attached to these minutes and incorporated herein as **APPENDIX A.**

**IN THE MATTER OF REVIEW/APPROVE HOMELAND SECURITY
COOPERATIVE AGREEMENT FOR NEW HOMELAND SECURITY GRANT**

Terri Blissard, Grant Administrator, advised the Mayor and City Council by memorandum dated October 24, 2014, that a new Homeland Security grant in the amount of \$113,000 would be available pending Council approval of a cooperative agreement. Upon a motion by Councilman Whittington, seconded by Councilman L. Bryan, the Council voted unanimously to approve a Homeland Security Cooperative Agreement between the City of Tupelo and Mississippi Department of Public Safety in order to receive this grant. The grant will fund equipment, supplies, training, and robot for the EOD Unit and requires no match. A final award letter will require future action by the Council at which time the funds will be released.

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**IN THE MATTER OF REVIEW/APPROVE RESOLUTION AUTHORIZING
EMPLOYMENT OF PROFESSIONALS IN CONNECTION WITH CITY'S
ANNUAL CONTINUING DISCLOSURE FILING REQUIREMENT**

Upon a motion by Councilman L. Bryan and a second by Councilman Whittington, the council voted unanimously to approve a RESOLUTION OF THE COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI ("THE CITY") AUTHORIZING THE EMPLOYMENT OF PROFESSIONALS IN CONNECTION WITH THE CITY'S ANNUAL CONTINUING DISCLOSURE FILING REQUIREMENT PURSUANT TO RULE 15C2-12, AS AMENDED FROM TIME TO TIME; AUTHORIZING AND APPROVING THE FORM OF A MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE QUESTIONNAIRE ("THE QUESTIONNAIRE") AND THE FILING OF THE QUESTIONNAIRE AND APPROVING THE FORM OF AND ADOPTION OF POLICIES AND PROCEDURES FOR CONTINUING DISCLOSURE/SEC RULE 15C2-12 COMPLIANCE; AND FOR RELATED PURPOSES.

After a reading of the Resolution by President Bryan, City Attorney Logan gave a brief explanation that the agreement was done annually for \$1,500 and the additional filing due to SEC regulations would not cost the City any additional fees. An executed copy of the Resolution is attached to these minutes and incorporated herein as **APPENDIX B.**

**IN THE MATTER OF REVIEW/APPROVE REQUEST FOR DONATION OF
LEAVE FOR INJURED TUPELO POLICE OFFICER**

Police Chief Bart Aguirre had submitted a request to consider his recommendation to allow City of Tupelo employees to donate vacation/sick leave to Officer Tonya Dill. Officer Dill broke her leg last month and is expected to be off work for at least twelve weeks, possibly longer. Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously to approve this request for donation of leave by Tupelo Police Department employees. President Bryan explained this was a common practice to aid fellow workers when they have exhausted their leave.

**IN THE MATTER OF REVIEW/RATIFY CONTRACT BETWEEN CITY OF
TUPELO AND KAJACS CONTRACTORS, INC. FOR WATER SYSTEM
IMPROVEMENTS PROJECT – AREA 2 NORTH – INDIAN HILLS**

Upon a motion by Councilman L. Bryan, seconded by Councilman Palmer, the council voted unanimously to ratify a construction contract between the City of Tupelo

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and Kjac Contractors, Inc. for the Water System Improvements Project – Area 2 North-Indian Hills. The bid for this project was awarded to this company at the October 7, 2014, council meeting in the amount of \$1,499,410.00. City Attorney Logan advised that he had reviewed this contract; that Mayor Shelton had signed the same and only ratification by the council was needed. Excerpts from this contract are attached to these minutes and incorporated herein as **APPENDIX C.**

IN THE MATTER OF REVIEW/RATIFY CONTRACT BETWEEN CITY OF TUPELO AND ARGO CONSTRUCTION CORPORATION FOR WATER SYSTEM IMPROVEMENTS PROJECT – AREA 1- BEECH SPRINGS

Upon a motion by Councilman Jennings, seconded by Councilman Palmer, the council voted unanimously to ratify a construction contract between the City of Tupelo and Argo Construction Corporation for the Water System Improvement Project – Area 1 – Beech Springs. The bid for this project was awarded to this company at the October 7, 2014, council meeting in the amount of \$957,659.00. City Attorney Logan advised that he had reviewed this contract; that Mayor Shelton had signed the same and only ratification by the council was needed. Excerpts from this contract are attached to these minutes and incorporated herein as **APPENDIX D.**

IN THE MATTER OF REVIEW/APPROVE LISTING OF LOT MOWINGS OF PROPERTIES

Councilwoman Davis moved to approve a revised listing of lot mowings submitted by the Department of Development Services as being in such a state of uncleanness as to be a menace to public health, safety and welfare of the community, thereby authorizing the Department to proceed with mowing of these properties. The motion was seconded by Councilman Beard and unanimously approved by a vote of the council. A Public Hearing had been conducted earlier in this meeting with no one appearing to address any of the listed properties. A copy of the revised listing is attached to these minutes as **APPENDIX E.**

IN THE MATTER OF REVIEW/APPROVE CHANGE ORDER NO. 1 – KINGS CREEK STABILIZATION PROJECT

Upon a motion by Councilman L. Bryan, seconded by Councilman Jennings, the council voted unanimously to approve Change Order No. 1 for the Kings Creek Drainage Improvements Project – Rankin Blvd. to Gloster Street. This change order adds the amount of \$30,665.00, bringing the contract total to \$1,296,103.00. A copy of this change order is attached to these minutes as **APPENDIX F.**

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IN THE MATTER OF REVIEW/APPROVE RESOLUTION AMENDING ORDER
ACCEPTING STONEBROOK DRIVE BY CHANGING THE NAME OF
ACCEPTED STREET TO STONE CREEK BOULEVARD

On July 1, 2014, when the Tupelo City Council accepted Stonebrook Drive for dedication to the public and maintenance by the City, the street was incorrectly identified as Stonebrook Drive when it should have been Stone Creek Boulevard. Upon a motion by Councilman Whittington, seconded by Councilwoman Davis, the council voted unanimously to approve a Resolution Amending Order Accepting Stonebrook Drive by Changing the Name of Accepted Street to Stone Creek Boulevard. An executed copy of this resolution is attached to these minutes as **APPENDIX G.**

IN THE MATTER OF REVIEW APPROVE RESOLUTION AUTHORIZING
DONATION OF PREVIOUSLY SURPLUSED REAL PROPERTY ON EASON
BOULEVARD TO RED OAK GROVE M. B. CHURCH

On July 6, 2000, the Tupelo City Council had found and determined that a certain parcel of city-owned property located on Eason Boulevard near the intersection of Veteran's Boulevard was no longer needed for municipal or other purposes, nor was used or would be used in the operation of the City. On that date, the City Council approved the donation of this real property to Red Oak Grove M. B. Church, which was a qualifying entity which had maintained the property as a cemetery for many, many years and is continuing to do so now. However, the donation approved by the City Council on July 6, 2000, was never consummated.

Upon a motion by Councilwoman Davis, seconded by Councilman Jennings, the council voted unanimously to approve a Resolution Authorizing Donation of Previously Surplused Real Property on Eason Boulevard to Red Oak Grove M. B. Church. The Resolution authorizes the Mayor of the City to convey by quitclaim deed the real property to Red Oak Grove M. B. Church, subject to the restrictions contained in the Resolution. An executed copy of same is attached to these minutes and incorporated herein as **APPENDIX H.**

8. STUDY AGENDA

IN THE MATTER OF REVIEW/DISCUSS REQUEST FOR NAMING OF NEW
BRIDGE ON WEST BARNES CROSSING ROAD

At the request of Council Members Whittington and Davis, this item will be

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moved to the next agenda.

IN THE MATTER OF ADJOURNMENT

There being no further business to come before the City Council, upon a motion by Councilman Palmer, seconded by Councilman Jennings, the council voted unanimously to adjourn the regular meeting at 6:22 p.m.

PRESIDENT

ATTEST:

CLERK OF THE COUNCIL

APPROVED:

MAYOR